

Amendments to the Drawings:

The attached drawing sheet includes changes to Figure 21G. Figure 21G has been amended by deleting reference number 2610. This sheet, which includes Figures 21A-21H, replaces the original sheet including Figures 21A-21H.

Attachment: Replacement Sheet

REMARKS

The Official Action mailed January 26, 2006, has been received and its contents carefully noted. Filed concurrently herewith is a *Request for One Month Extension of Time*, which extends the shortened statutory period for response to May 26, 2006.

An Information Disclosure Statement is submitted herewith and consideration of this Information Disclosure Statement is respectfully requested.

Claims 1-85 were pending in the present application prior to the above amendment. Claims 2, 4-10, 12, 14, 15, 17, 19-25, 27, 29-31, 33, 35, 36, 38, 40, 41, 43, 46, 48, 49, 51, 54, 56, 57, 59, 61-68, 70, 72, 73, 75, 78, 80, 81, 84 and 85 have been canceled without prejudice or disclaimer, and claims 1, 3, 11, 13, 16, 18, 26, 28, 37, 39, 42, 44, 45, 47, 50, 52, 69, 71, 74 and 76 have been amended to better recite the features of the present invention. Accordingly, claims 1, 3, 11, 13, 16, 18, 26, 28, 32, 34, 37, 39, 42, 44, 45, 47, 50, 52, 53, 55, 58, 60, 69, 71, 74, 76, 77, 79, 82 and 83 are currently pending, of which claims 1, 3, 26 and 28 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraph 2 of the Official Action objects to Figure 21G for inclusion of reference number 2610. In response, the Applicant has amended Figure 21G by removing reference number 2610. Reconsideration and withdrawal of the objection are respectfully requested.

Paragraph 3 of the Official Action objects to the drawings for not including reference numbers 307a to 310a, 307b to 310b and 1507. In response, page 31 of the specification has amended by changing "307a to 310a" and "307b to 310b" to "107a to 110a" and "107b to 110b," respectively. Reference number 1507 is shown in Figure 19. Reconsideration and withdrawal of the objections are respectfully requested.

Paragraph 5 of the Official Action objects to the specification for various minor informalities. In response, page 11, lines 14 and 19, have been amended in accordance with the Examiner's suggestions. Tables 1-4, which were previously

attached to the end of the specification, have been inserted into the specification at pages 18 and 19, as appropriate. Page 40 has been amended to clarify that reference character 806 refers to a printed substrate. Reconsideration and withdrawal of the objections are respectfully requested.

Paragraph 6 of the Official Action objects to claims 1, 3, 26, 28, 45, 47, 50, 52, 84 and 85 for various minor informalities. In response, claims 1, 3, 26, 28, 45, 47, 50 and 52 have been amended in accordance with the Examiner's suggestion, and claims 84 and 85 have been canceled without prejudice or disclaimer. Reconsideration and withdrawal of the objections are respectfully requested.

Paragraph 8 of the Official Action rejects claims 3, 6, 8, 11, 13, 16, 18, 21, 23, 28, 29, 31, 34, 37, 39, 42, 44, 47, 52, 55, 60, 61, 63, 66, 68, 71, 76, 79 and 84 under 35 U.S.C. § 112, second paragraph, asserting indefiniteness. In response to this rejection, claims 3, 11, 13, 16, 18, 37, 39, 42, 44, 71 and 76 have been amended for clarity, and claims 6, 8, 21, 23, 29, 31, 61, 63, 66 and 68 have been canceled without prejudice or disclaimer. The Applicant respectfully submits that amended claims 3, 11, 13, 16, 18, 37, 39, 42, 44, 71 and 76, when read in light of the specification, are definite. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 112 are in order and respectfully requested.

Paragraph 9 of the Official Action rejects claims 61, 63, 66 and 68 under 35 U.S.C. 101 asserting that the claimed invention is directed to non-statutory subject matter. In response, claims 61, 63, 66 and 68 have been canceled without prejudice or disclaimer.

Paragraph 12 of the Official Action rejects claims 1, 3, 11, 13, 21, 23, 32, 34, 37, 39, 61, 63, 69, 71, 77, 79 and 84 as obvious based on the combination of U.S. Patent No. 6,975,386 to Tsumura, U.S. Patent No. 6,647,148 to Ozawa and U.S. Patent Application Publication No. 2005/0041226 to Tanaka. Paragraph 13 of the Official Action rejects claims 45, 57, 53 and 55 as obvious based on the combination of Tsumura, Ozawa, Tanaka and U.S. Patent Application Publication No. 2003/0142298 to

Ujihara. Paragraph 14 of the Official Action rejects claims 26, 28, 42, 44, 66, 68, 74, 76, 82 and 85 as obvious based on the combination of Tsumura, Ozawa, Tanaka and U.S. Patent No. 6,861,614 to Tanabe. Paragraph 15 of the Official Action rejects claims 50, 52, 58 and 60 as obvious based on the combination of Tsumura, Ozawa, Tanaka, Tanabe and Ujihara. Paragraph 16 of the Official Action rejects claims 6, 8, 16 and 18 as obvious based on the combination of Tsumura, Ozawa, Tanaka and U.S. Patent Publication No. 2004/0228526 to Lin. Paragraph 17 of the Official Action rejects claims 29 and 31 as obvious based on the combination of Tsumura, Ozawa, Tanaka, Tanabe and Lin. The Applicant respectfully submits that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

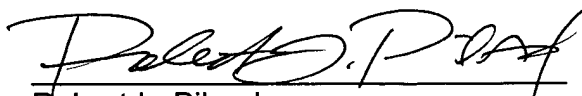
The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. The independent claims have been amended to recite obtaining an approximate line from a relation of an position in the Y direction to the average value or the sum corresponding to the position in the Y direction; and testing the crystallinity of the semiconductor film, of which the crystallinity is improved, with a fluctuation obtained from the approximate line, and the average value or the sum. Tsumura, Ozawa, Tanaka, Ujihara, Tanabe and Lin, either alone or in combination, do not teach or suggest the above-referenced features of the present invention.

The Official Action concedes that "Tsumura does not include the specifics of how the image discriminator determines locations of the defects" (pages 11-12, Paper No. 20051129) and relies on Ozawa to allegedly cure the deficiencies in Tsumura. However, Ozawa merely discloses an X0 position having a maximum of added value derived luminance values to specify the boundary line in Figure 4. Tsumura, Ozawa, Tanaka, Ujihara, Tanabe and Lin, either alone or in combination, do not teach or suggest obtaining an approximate line from a relation of an position in the Y direction to the average value or the sum corresponding to the position in the Y direction; and testing the crystallinity of the semiconductor film, of which the crystallinity is improved, with a fluctuation obtained from the approximate line, and the average value or the sum.

Since Tsumura, Ozawa, Tanaka, Ujihara, Tanabe and Lin do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert L. Pilaud", written over a horizontal line.

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